



IFW

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/804,609	
	Filing Date	March 18, 2004	
	First Named Inventor	Mark H. Eskridge	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	4	Attorney Docket Number	H0005288

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	10 IDS Reference documents
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2 pages IDS Cover Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	2 Postcards
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Charles J. Rupnick (Reg. No.: 43,068)	
Signature		
Date	August 18, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Charles J. Rupnick	
Signature		Date August 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING

Date of Deposit: August 18, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service under 37 CFR § 1.8 with sufficient postage as First Class mail on the date indicated above in an envelope addressed to:

Assistant Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450.

Charles J. Rupnick

(Typed or printed name of person mailing)

(Signature of Person Mailing)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/804,609
Inventor(s) : Mark H. Eskridge
Filed : March 18, 2004

Confirmation No.: n/a

TC/A.U. : _____
Examiner : _____

Docket No. : H0005288
Customer No. : 00128

Mail Stop: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Information Disclosure Statement Under 37 C.F.R. § 1.56

Assistant Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicant wishes to make known to the Patent and Trademark Office the references set forth on the attached form PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, Applicant does not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserves the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with

Serial No.: 10/804,609

Information Disclosure Statement dated: August 18, 2004

Applicant's duty to disclose all information he is aware of which is believed relevant to the examination of the above-identified application, Applicant believes that his invention is patentable. Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

5 This Information Disclosure Statement being filed before the later of three (3) months after the filing date of the above-identified application, or before the mailing date of the first Office Action on the merits, no fee is believed due.

10 If the Examiner has questions or wishes to discuss any aspect of the case, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

15 Attorney: 

Charles J. Rupnick

Registration No.: 43,068

Date: August 18, 2004

Post Office Address: PO Box 46752
Seattle, WA 98146

20 Phone Number: (206)439-7956

Facsimile: (206) 439-3223

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/804,609
Filing Date	March 18, 2004
First Named Inventor	Mark H. Eskridge
Art Unit	
Examiner Name	
Attorney Docket Number	H0005288

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 4,945,765	08-07-1990	Roszhart	
		US- 5,006,487	04-09-1991	Stokes	
		US- 5,334,901	08-02-1994	Albert, et al.	
		US- 5,456,110	10-10-1995	Hulsing, II	
		US- 5,456,111	10-10-1995	Hulsing, II	
		US- 5,591,679	01-07-1997	Jakobsen, et al.	
		US- 5,948,981	09-07-1999	Woodruff	
		US- 5,996,411	12-07-1999	Leonardson, et al.	
		US- 6,119,520	09-19-2000	Woodruff	
		US- 6,642,067	11-04-2003	Dwyer	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

BEST AVAILABLE COPY